

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Wendy Iacobucci,

Plaintiff,

vs.

Town of Bonneau, Bonneau Police
Department, and Franco Fuda

Defendants.

2:18-CV-00152-DCN-BM

**PLAINTIFF'S MOTION TO COMPEL
AND SET REASONABLE FEE FOR
DEPOSITION OF DEFENDANTS'
EXPERT WITNESS**

The Plaintiff hereby moves to compel the deposition of Defendants' expert witness, Major Brian Batterton, and to set a reasonable fee for his deposition pursuant the Federal Rules of Civil Procedure and cases interpreting the same. The Plaintiff also submits the attached memorandum in support of this motion. The Plaintiff respectfully requests that the Court issue an Order requiring Maj. Batterton to proceed with his deposition as scheduled without insisting on prepayment of a \$2,500.00 flat fee; requiring Maj. Batterton to submit an invoice to Plaintiff's counsel following the conclusion of his deposition based upon the amount of time actually spent being deposed at a reasonable rate of \$250.00 per hour; and allowing the Plaintiff to proceed with depositions and discovery in this case without regard to the status of the pending Motion to Amend the Complaint.

(signatures on following page)

CLAWSON FARGNOLI, LLC

s/ Christy R. Fagnoli
Samuel R. Clawson, Jr. (Fed. ID No. 11850)
Christy R. Fagnoli (Fed. ID No. 10364)
474 King Street, Suite D
Charleston, South Carolina 29403
Phone: (843) 970-2700
Fax: (843) 970-1780
Email: christy@clawsonfagnoli.com
sam@clawsonfagnoli.com

Attorneys for Plaintiff

Charleston, South Carolina
August 27, 2018

WHITE, DAVIS, AND WHITE LAW FIRM

/s/ Kyle J. White
Kyle J. White (Fed. ID No. 11774)
209. E. Calhoun St.
Anderson, SC 29621
(864) 231-8090
kyle@wdwlawfirm.com

Attorney for the Plaintiff

Anderson, SC
August 27, 2018